1	UNITED STATES DISTRICT COURT
2	DISTRICT OF NEVADA
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4	TAGLE VICTOR,) 2:13-cv-0085-GMN-NJK
5	Petitioner,
6	vs. ORDER
7	BRIAN WILLIAMS, et al.,
8	Respondents.
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In this habeas action initiated by Tagle Victor, a state prisoner, the petition was submitted, but no filing fee or in *forma pauper* application was received. The Court, noting that petitioner appeared to have most of his one-year limitations period remaining, immediately dismissed the action without prejudice (ECF No. 4). Since the action was dismissed, petitioner submitted an application to proceed in *forma pauperis* (ECF No. 6) and most recently he sent a letter to the Court describing physical abuse by prison guards (ECF No. 7).

With concern for petitioner's circumstances and timeline, the Court hereby specificially informs the petitioner as follows:

- (1) This case has been closed and no further documents shall be accepted for filing herein.
- (2) Petitioner must commence a new action wherein he should submit his in *forma pauperis* application and habeas petition. Petitioner is advised that time is of the essence and he should not delay in taking these steps. *See* 28 United States Constitution § 2244(d).
- (3) A habeas action, which is for purposes of reviewing the constitutionality of his state criminal proceedings, is not the forum for seeking intervention in prison assault situations. Petitioner is advised that claims of excessive force or cruel and unusual punishment may be brought to the Court in a civil rights action. Petitioner is advised to consult with the law library staff or other inmates knowledgeable about these things.

(4) Communication with the Court must be styled in the form of a motion seeking some specific relief. Letters to the Court will not be considered except pursuant to Local Rules of Practice (LR) 7-6. IT IS THEREFORE ORDERED the Clerk shall send petitioner a form and instruction for the in forma pauperis application and shall also return a copy of the proposed petition. IT IS FURTHER ORDERED that no other documents shall be accepted for filing in this action. **DATED** this 8th day of March, 2013. Gloria M. Navarro United States District Judge